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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,459	09/05/2003	Chris Hemmings	P69111US0	4901
7590	01/27/2005		EXAMINER	
LAW OFFICES OF JACOBSON HOLMAN PROFESSIONAL LIMITED LIABILITY COMPANY 400 SEVENTH STREET, N.W. WASHINGTON, DC 20004			LAY, MICHELLE K	
			ART UNIT	PAPER NUMBER
			2672	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/660,459	HEMMINGS, CHRIS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michelle K. Lay	2672	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1)  Notice of References Cited (PTO-892)  
 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5)  Notice of Informal Patent Application (PTO-152)  
 6)  Other: \_\_\_\_\_

## DETAILED ACTION

### ***Specification***

1. Claim 8 is objected to because of the following informalities: typographical error on line 1: ... a computer program to provide a A. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,805,783 to Ellson et al. in view of US Patent No. 6,281,906 B1 to Andersson.

Ellson et al. teaches the claimed limitations of claims 1, 4 – 9 with the exception of teaching the use of control points for rotating an object in three-dimensional space. However, Andersson discloses a method for the modification of three-dimensional objects via an input device allowing only two-dimensional input with use of modification points i.e. control points.

Ellson et al. discloses a system and method for creating three-dimensional or depth image font text characters using graphic three-dimensional object creation techniques and graphics processors. Illustrated in Fig. 2, a font creation unit (10) within the computer system (23) is used to create the three-dimensional geometric model object

representation of the various text characters in a desire alphabet [column 6, lines 30 – 33]. The text creation unit (14) retrieves the two-dimensional representation of the text characters specified by the user (claim 6) and creates three-dimensional type character models that are transferred to a graphics creation unit (16) (claim 1, 7, 8, 9) [column 6, lines 60 – 64]. These characters may be strung together and their orientation may be altered, as shown in Fig. 8. Here, a displacement vector (DV1) provides a three-dimensional displacement to the position of the first letter (100) in an arbitrary world coordinate system (102) (three-dimensional). A corresponding orientation vector (OV1) is provided. Just as with the first letter (100), displacement vectors (DV2 – DV5) are used to provide a three-dimensional displacement for the positions of the second (104), third (106), fourth (107), and fifth (108) text characters respectively, which include corresponding orientation vectors (OV2 – OV5) [column 10, lines 35 – 44]. This concept may be extended to consider text on a page, where each character will have its own displacement vector with a corresponding orientation vector as described above (claims 5, 7, 9).

Andersson discloses a method for the modification of three-dimensional objects. Referring to Fig. 2, Andersson illustrates rotation of the coordinate system. To perform a rotation of an object, for example around the z-axis, one of the modification points at the ends of the y-axis is being selected and afterwards a movement along the x-axis is performed. A rotation around the z-axis can also be realized by activating a modification point on the x-axis and afterwards, performing an appropriate mouse operation in the direction of the y-axis (claims 1, 7, 8, 9) [column 4, lines 49 – 57].

These modification points can also be considered as control points as described. Furthermore, illustrated in Fig. 3, Andersson teaches how the coordinate system and thus the assigned object can be scaled [column 5, lines 1 – 2], providing an option to enlarge the coordinate system (grid) and therefore the assigned object as disclosed in claim 4. Additionally, it may be understood during the rotation process, when the z-axis has a value of zero, the object is seen as a two-dimensional object (claim 6).

Therefore, it would have been obvious to one in the art to combine the three-dimensional font system of Ellson et al. with the method of rotation by Andersson because rotation of the text would provide many advantages in other inventions, such as webbooks that simulate reading a physical book with turning pages (e.g. US Patent No. US 6,486,895 B1 to Robertson et al.). In this example, when turning the pages, the text can still be seen and read as the page moves (for example) from the right to the left [Robertson et al.: Fig. 10]. Another benefit would be in a three-dimensional space where multiple windows containing text can be placed within the space with different orientations (e.g. US Patent No. US 6,229,542 B1 to Miller). In this situation, regardless if the window is offset and not in the viewer's main line of sight, the viewer may still want to reference that window without having to rotate the orientation to look straight on [Miller: Fig. 5]. With the combination of inventions by Ellson et al. and Andersson, a skewed window would still be readable and aid in optimizing desktop space.

3. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,805,783 to Ellson et al. in view of US Patent No. 6,281,906 B1 to

Andersson as applied to claim 1 above, and further in view of US Patent No. 4,646,075 to Andrews et al. and "Computer Graphics Principles and Practice, 2<sup>nd</sup> edition in C" to Foley et al.

Ellson et al. in view of Andersson teaches the claimed limitations of claims 2 and 3 with the exception of defining the control points as Bezier curve control points. However, Andrews et al. teaches the use of control points, referring in the case of curved lines, to a set of points which is used to control the curve's shape, specifically derived from parametric functions such as Bezier [Andrews et al.: column 4, lines 63 – 68 – column 5, lines 1 – 4]. Andrews et al. further teaches four Bezier control points can be used to define the shape of any curved line (claim 3) [Andrews et al.: column 6, lines 3 – 4]. Additionally, it is known in the art, Bezier control points are used to form cubic polynomial curve segments as claimed [Foley et al.: pages 488 – 491].

Therefore, it would have been obvious to one in the art to use Bezier control points in conjunction with the combined system and method of Ellson et al. and Andersson because the Bezier control points allow for a cubic polynomial curve segment which is needed in order to obtain a three dimensional object [Foley et al.: pages 488 – 491], such as a font character, as described.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent No. US 6,486,895 B1 to Robertson et al.

US Patent No. US 6,229,542 B1 to Miller

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle K. Lay whose telephone number is (703) 305 – 0887 until March 1<sup>st</sup>, 2005, otherwise (571) 272-7661. The examiner can normally be reached on Monday - Friday, 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713 until March 1<sup>st</sup>, 2005, otherwise (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mkl 01.12.2005 M.



1/24/05

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